

United States Courts
Southern District of Texas
FILED

September 26, 2024

Nathan Ochsner, Clerk of Court

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 26, 2024

Lyle W. Cayce
Clerk

No. 22-40043

FEDS FOR MEDICAL FREEDOM; LOCAL 918, AMERICAN
FEDERATION OF GOVERNMENT EMPLOYEES; HIGHLAND
ENGINEERING, INCORPORATED; RAYMOND A. BEEBE, JR.; JOHN
ARMBRUST; ET AL.,

Plaintiffs—Appellees,

versus

JOSEPH R. BIDEN, JR., *in his official capacity as President of the United
States*; THE UNITED STATES OF AMERICA; PETE BUTTIGIEG, *in
his official capacity as Secretary of Transportation*; DEPARTMENT OF
TRANSPORTATION; JANET YELLEN, *in her official capacity as Secretary
of Treasury*; ET AL.,

Defendants—Appellants.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 3:21-CV-356

UNPUBLISHED ORDER

No. 22-40043

Before RICHMAN, *Chief Judge*, and JONES, SMITH, BARKSDALE, STEWART, DENNIS, ELROD, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, WILLETT, HO, DUNCAN, ENGELHARDT, OLDHAM, and WILSON, *Circuit Judges*.

PER CURIAM:*

This case is before us on remand from the Supreme Court, which vacated and remanded our judgment. *Biden v. Feds for Med. Freedom*, 144 S. Ct. 480, 480–81 (2023). Accordingly, consistent with the Supreme Court’s opinion, we REMAND this case to the district court and direct it to VACATE as moot its order granting a preliminary injunction. The Clerk is directed to issue the mandate forthwith.

* Judges Douglas and Ramirez joined the court after this case was submitted to the en banc court and did not participate in this decision.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

September 26, 2024

Mr. Nathan Ochsner
Southern District of Texas, Galveston
United States District Court
601 Rosenberg Street
Room 411
Galveston, TX 77550-0000

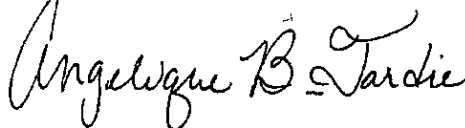
No. 22-40043 Feds for Medical Freedom v. Biden
USDC No. 3:21-CV-356

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Angelique B. Tardie, Deputy Clerk
504-310-7715

cc w/encl:

Mr. Lowell Harrison Becraft Jr.
Ms. Sarah Wendy Carroll
Mr. David Anthony Dalia
Mr. Gregory Dolin
Mr. James Garland Gillingham
Ms. Brianne Jenna Gorod
Mr. David J. Hacker
Mr. Gene Patrick Hamilton
Mr. Jeffrey Jennings
Mr. Jared Kelson
Mr. R. Trent McCotter
Mr. William Jeffrey Olson
Mr. Casen Ross
Mr. Charles Wylie Scarborough
Mr. Andrew Layton Schlafly
Mr. John Clay Sullivan
Mr. John Julian Vecchione
Mr. Daniel Winik